



TOGETHER FOR THE SEA

The joint proposal from the Danish Society for Nature Conservation (the largest environmental conservation NGO in Denmark) and the largest organisation for Danish fishers, the Danish Fishermen PO, on how Denmark can fulfil their international commitments on marine protection and safeguarding marine life, as well as reaching the goal of 10 % strictly protected marine areas, so-called untouched sea.



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A landmark joint proposal aims to ensure improved protection of Danish seas

The Danish Society for Nature Conservation (the largest environmental conservation NGO in Denmark) and the largest organisation for Danish fishers, the Danish Fishermen PO, have been negotiating for months in order to reach a joint bid on how Denmark can live up to its international commitments to improve marine protection in Danish waters, whilst upholding a Danish fisheries sector that secures jobs along the Danish coast and contributes to a sustainable food source. We are proud to now be able to hand over this historical compromise deal to the Danish government and parliament.

We are two organisations who overall share an interest in a healthy and balanced marine environment, although we in our daily dealings often work with seemingly opposing interests. We do, however, have the common understanding that if we are to both ensure a sustainable fisheries industry in the future and a diverse marine nature, joint solutions are required, as well as a higher level of protection of the oceans and the fish and species that live in it.

A healthy ocean is vital, but marine nature is under severe pressure. Seven out of eight marine habitat types (defined in the EU's Habitats Directive) are in "unfavourable-bad" conservation status, the worst category. When marine nature is under pressure it also affects the fishing industry's ability to secure sustainable fisheries in the future. Designating untouched sea areas creates improved conditions for marine life, as well as considerably contributing to strengthening the foundations for a balanced and healthy ocean in the future.

Designating untouched sea areas significantly contributes to ensuring healthy and resilient seas, but this does not in itself solve the myriad of challenges marine life is currently facing. Therefore we jointly encourage that the other factors and pressures affecting the marine environment are addressed, such as the effects of the climate crisis, the ongoing too high emissions of nutrients from suburban and rural areas, as well as the, from an environmental point of view, unsustainable exploitation of the finite marine resources.

Denmark is on the cusp of implementing a series of international directives with the goal of ensuring an improved status for marine nature. The first Danish Marine Spatial Plan will be implemented in 2021, with the overarching aim to secure the general planning and usage of the Danish sea areas. At the same time, the second Program of Measures under the Marine Strategy Framework Directive (MSFD) is being prepared, and this includes a process for designating new marine protected areas in the Danish North Sea, Skagerrak, and in the central Baltic Sea around Bornholm.

With this joint proposal we are showing the way for Denmark to reach the EU goal of minimum 10 percent strictly protected marine areas, when the Danish government are to carry out the MSFD process for protected areas in the Danish North Sea, Skagerrak, and in the central Baltic Sea around Bornholm.

We hope our joint proposal is well received.



Svend-Erik Andersen
Chairman of the Danish Fishermen PO

Maria Reumert Gjerding
President of the Danish Society for Nature Conservation

Agreement to establish 10 percent untouched sea in the Danish North Sea, Skagerrak, and Baltic Sea

The draft for the first Danish Marine Spatial Plan will be published in the first quarter of 2021. The plan will form a framework for sustainable "blue growth" in the Danish sea areas. In connection to the Danish Marine Spatial Plan, the Danish Government will suggest new protected sea areas in the Danish North Sea, Skagerrak, and the Baltic Sea.

With the joint proposal "Together for the Sea", The Danish Society for Nature Conservation and the Danish Fishermen PO is showing the way to Danish compliance with the EU goal of minimum 10 percent strictly protected marine areas.

► The proposal entails untouched marine areas – the so-called marine reference areas – in the Danish parts of the North Sea, Skagerrak, and the central Baltic Sea around Bornholm. These areas are to be protected from all types of commercial exploitation – including all types of fishing, including recreational fishing.

► According to science, untouched sea areas are necessary in order to secure marine biodiversity and to monitor changes in the marine environment.

► As of today, only 0.03 % of the Danish sea area is protected against all types of fishing (so-called no-take zones). With this proposal, we point to the protection of a total of 10.1 % of the North Sea, and Skagerrak, and a total of 10.3 % of the central Baltic Sea around Bornholm. These areas would be protected against any type of fishing and commercial exploitation.

► With this proposed designation of 10 percent untouched sea areas, Denmark would be the first country in EU to comply with the EU Biodiversity Strategy in the North Sea, Skagerrak, and the central Baltic Sea around Bornholm. The designation will, in addition, be a substantial step towards

compliance with the EU Habitats Directive goal of "favourable conservation status" for habitat types and species in the Danish sea areas, the goal under the EU Common Fisheries Policy on "ecosystem-based fisheries management", and the EU Common Fisheries Policy art. 8 on the "establishment of fish stock recovery areas".

► The specific designation of areas is based on the highest quality of available research and data, where the designated areas accommodate the nature types and habitats which are poorly protected or not protected at all today. This includes species red listed in the OSPAR Convention, such as sharks, rays, and minke whales. The designated areas represent varied marine nature types, on varied depths and substrates, and there is an overlap between marine nature types in the already designated Natura 2000-areas, as well as offshore and coastal areas.

► The proposal covers 26 areas of untouched sea in three areas: The North Sea, Skagerrak, and the central Baltic Sea around Bornholm. 24 of the areas have a size of at least 100 square kilometers, the minimum requirement recommended by research to protect against impacts from the surrounding not protected area, into the protected area, and to secure the optimal ability for nature types and species to develop naturally. The largest area is 1.547 square kilometers and located in the southern part of the Danish North Sea.

The Danish Marine Strategy:

The Danish Marine Strategy's Program of Measures acts towards the implementation of the EU's Marine Strategy Framework Directive. The purpose is to maintain or establish Good Environmental Status (GES). The means to reach this goal is the development of marine strategies establishing objectives for nature and environment, monitoring programs, and programs of measures outlining how to reach the objectives that have been set to reach GES.

The Danish Marine Spatial Plan:

The Danish Marine Spatial Plan implements the EU directive for the Framework for Maritime Spatial Planning. The plan is meant as a foundation for the coordination of the many applications of the Danish sea areas, supporting the conditions for a sustainable protection and utilization of the sea and the growth of a Blue Denmark.

Protection of the sea in the Danish North Sea and Skagerrak



The designated areas cover several different depths: From the coastal- and shallow areas in the Wadden Sea, a designated World Heritage Site by UNESCO, down to 505 meters in the northern part of Skagerrak. It is important that the protected areas cover a wide range of depths and substrates (e.g. sand, mud, stone), as the animals of the sea, as well as those on land, live in varied habitats. Some species live on different depths and substrates throughout their life cycle.

The proposal includes areas of deep and soft mud substrate in Skagerrak. A habitat type with a rich benthic fauna, where e.g. Norway lobster and the coral animal sea pen (red listed by OSPAR) lives. This type of marine nature has thus far been underrepresented in the existing protected Danish sea areas.

The designated areas also cover reefs and hard substrate on varied depths. Stony reefs are biodiversity hot spots, where among other things you will find the soft coral dead man's fingers. The reefs are important for many fish, including cod. It also provides protection for juvenile fish.

The areas cover sand banks on varied depths - important habitats for benthic animals, such as worms, certain clams, plaice, and other flatfish.

The designated areas cover all the different types of substrates present in these waters. The areas are further placed with the aim to ensure a coherent network, as eggs and larva from the covered areas can be dispersed by the currents between the areas. This aims to ensure coherence between habitats. The areas also overlap with areas important to some Danish seabirds, such as northern fulmar and black-legged kittiwake.

Protection of Baltic Sea



The areas of the proposal cover both shallow and deeper areas, with varied marine nature types.

The protection of the critically endangered population of Baltic Sea harbour porpoise was an important factor in the designation of the untouched sea areas around Bornholm.

Parts of the areas are already designated as Natura 2000-sites for the harbour porpoise and sand banks, as well as stony reefs. However, the areas lack effective protection, as no concrete measures for the protection of all the Natura 2000-area's habitats and species have been implemented. With this additional designation, the area will become an important marine protected area.

The Eastern Baltic cod is critically threatened. Targeted fishing for the Eastern Baltic cod has been prohibited since 2019. The designated area in the northwestern corner of the Danish Baltic Sea area around Bornholm, as well as the shallow area, Rønne Banke, have been selected as untouched sea, as these areas constitute vital spawning grounds as well as foraging areas for juvenile cod.

Appendix – Letter of Understanding between the Danish Fishermen PO and the Danish Society for Nature Conservation.

1. The Danish Fishermen PO and the Danish Society for Nature Conservation has proposed the designation of areas in the Danish part of the North Sea and Skagerrak, and the central Baltic Sea around Bornholm, which are to be closed to all commercial exploitation and extractive activities, including all types of fishing. Here, the seabed is to be protected against all direct human impacts, e.g. anchoring, as well as bottom-trawling in connection to research. These areas will be known as marine reference areas/untouched sea. The areas are to be designated as Marine Protected Areas (MPA's) with legal basis in the EU's Marine Strategy Framework Directive.

2. Both parties are obligated to actively work to ensure that the designation of the suggested common areas happen as fast as possible, including co-operation on the upcoming Article 11 and Article 18 processes, that are required to regulate fisheries outside 12 nautical miles in Danish waters.

3. The agreement solely covers the untouched sea areas in the Danish North Sea, Skagerrak, and the central Baltic Sea around Bornholm. The parties may not individually suggest additional marine reference areas within these sea areas during the duration of the joint agreement.

4. Both parties are free to comment on other proposals brought forth by third parties. Both parties are free to continue working for the protection of marine areas, fishing, etc, cf. 3. Ultimo 2023 the EU Commission will evaluate the implementation of relevant directives and the biodiversity strategy. Based on this evaluation the parties will assess the collaboration and discuss the need for new initiatives.

5. The parties agree to continue the discussion of further protected areas in Danish waters. According to the "100-30-10"-model a minimum of 30 percent of the sea is to be designated as protected areas. The contracting parties will try to reach an agreement for these protected areas and their level of protection. Protection and designation of sea areas in the Danish Kattegat and the western Baltic Sea will also be looked into, even though these areas are not part of the current proposal.

6. If it can be documented that this agreement has substantial negative economic consequences for some fishermen, the parties agree to recommend that politicians discuss the possibility of allocating funds to support a sustainable transition of the fisheries. The parties furthermore agree on working towards that funds are allocated towards the development of more sustainable fishing gear, that minimize their environmental impact.

7. Both parties see the allocation of sufficient funds to monitor the areas as crucial, including the monitoring of biodiversity, habitat status and ecosystems within the designated marine reference areas. This is to document the effects of the protection. A baseline for all the areas shall be established, and thereafter these areas will become part of the monitoring programs carried out for the Danish Marine Strategy Framework Directive.

8. Both parties support and acknowledge that it is important that controlling the implementation of the areas' regulations is effective and transparent, including control of the closure of the areas for commercial exploitation.

9. The parties agree to designate a 40 square kilometer-area of deep, soft mud substrate within the Natura 2000-area "Skagens Gren" as a reference area, in which the effects of protection on this specific nature type is to be documented. The fauna, including infauna and epifauna shall be monitored in reference to surrounding, similar areas, to document the impacts from fishing and the degree of disturbance of the seabed of the area, in accordance with the Danish Marine Strategy Framework Directive's criteria for Descriptor 6 and Good Environmental Status.

The Danish Fishermen PO collects fishing data from the deep, soft mud substrate areas of Skagerrak in order to, in collaboration with the Danish Society for Nature Conservation, locate a larger area (100 square kilometers) of this specific nature type to be designated as untouched sea, if documented that fishing has a negative impact on said nature type.

As the area is small, the impacts caused by activities outside the area into the protected area are expected to be considerable, and it is hence crucial that an effective closure of the area, e.g. through obligatory AIS, in a sufficiently large buffer zone around the area, is established and enforced.

10. The parties agree to annual status meetings between resp. Chairman and President and relevant employees until the agreement expires. The status meetings shall ensure follow-up of the agenda and the possible implementation of the agreement.